



With further reference to the proposed grant of a licence of a portion of the Waste Management Section's Depot at Aldborough Parade and three Railway Arches adjoining the Depot to Sunflower Recycling Limited, Shamrock Terrace, Five Lamps, North Strand, Dublin 1.

Sunflower Recycling Limited is a community based project which has a social, employment and training function as well as carrying out the recycling of glass, paper and cans.

Order of the Principal Officer D17 dated 19th April 2000 approved terms and conditions for the grant of a lease from 1st April 2000 to 31st December 2002 of a portion of the Aldborough Parade Waste Management Depot as outlined red on Map Index number SM-2014-0628 to Sunflower Recycling Limited. Order of the Executive Manager D13 dated 11th November 2003 approved the grant of a further lease which expired on 30th June 2006.

A further lease was proposed at that time but it was not possible to complete the legal process when it came to light that a lease held by Dublin City Council from CIE in respect of a portion of the site occupied by Sunflower Recycling Limited expired on 31st July 2006.

Following a protracted process CIE granted Dublin City Council a ten-year lease dated 3rd June 2015 commencing on 1st April 2013 in respect of the subject plot. The grant of this lease enabled Dublin City Council grant to Sunflower Recycling Limited a two year licence from 1st January 2017 to the 31st December 2018 at a licence fee of €15,000 (fifteen thousand euros per annum) abated to €500 (five hundred euros). Managers Order D335 dated 14th September 2017 refers.

It is now proposed to grant a further two-year licence in respect of the portion of the Waste Management Section's Depot at Aldborough Parade as outlined red on the attached map index number SM-2014-0628 subject to the following terms and conditions:

1. The licence shall be for a period of two years commencing on the 1st January 2019 and terminating on the 31st December 2020.
2. The licensed area comprises three arches and an ancillary site with an approximate area of 812 sq. metres as shown outlined in red on the attached map index number SM-2014-0628.
3. The licensed area includes the internal surface, internal floors, shutters and / or doors and the airspace of the interior of the railway arches only.
4. The licence fee shall be €17,000 (seventeen thousand euro) per annum plus VAT, if applicable.
5. The licence fee shall be abated to €567 (five hundred & sixty-seven euro) plus VAT, provided that the property is used as a recycling facility. If the property ceases to be used for that purpose the licence fee shall revert to the consideration of €17,000 (seventeen thousand euro).
6. That the licence fee outlined at No 5 is payable from the 1st January 2019.

7. The licence fee shall be payable quarterly in advance by direct debit mandate.
8. The licensee shall be liable for all taxes, charges and outgoings including water and electricity relating to the premises, except for rates, which will continue to be paid by the City Council.
9. The subject area is to be used as a Recycling Centre only.
10. The licensee will be required to sign a deed of renunciation.
11. The licensee shall be required to provide audited accounts to the Council each year.
12. The licensee shall be responsible for fully insuring the premises and shall indemnify Dublin City Council against any and all claims arising from its use of the premises. The licensee shall take out and produce to Dublin City Council Public Liability Insurance in the sum of €6,500,000 (six million, five hundred thousand euro) and Employer Liability Insurance in the sum of €13,000,000 (thirteen million euro) for any incident with a recognized insurance company with offices in the state and the policy shall indemnify the Council against all liability as owner of the property.
13. The licence shall be terminated by either party giving one month's notice.
14. The licensee shall keep the premises in good condition and repair during the term of the licence.
15. The licence may be extended for a further period, at the discretion of the Council. Any future licence agreement and licence fee will be subject to the Council's future requirements for the site and a review of the audited accounts.
16. Each party shall be responsible for their own fees in this matter.

The proposed disposal shall be subject to such conditions as to title to be furnished as the Law Agent in his discretion shall stipulate.

No agreement enforceable at law is created or intended to be created until an exchange of contracts has taken place.

This proposal was approved by the Central Area Committee at its meeting on the 9th April 2019.

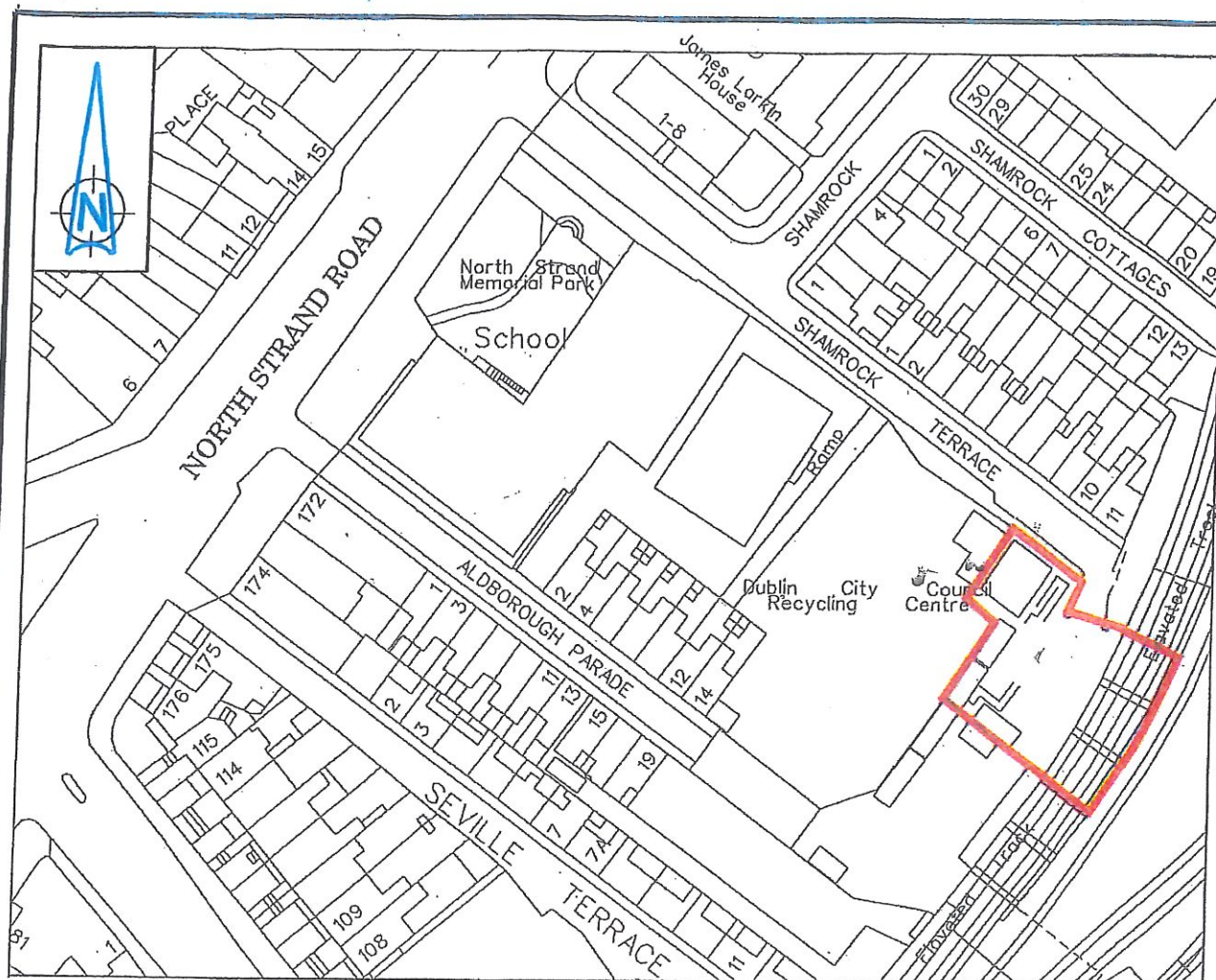
This report is submitted in accordance with the requirement of Section 183 of the Local Government Act 2001.

Resolution to be adopted:

That Dublin City Council notes the contents of Report 179/2019 and assents to the proposal outlined therein.

Richard Shakespeare
Assistant Chief Executive

Dated 1st day of May 2019



Aldborough Parade, 3 Arches, North Strand
Dublin City Council to Sunflower Recycling Limited.

License

Notes:

1. Area to be licensed delineated red shown thus.....
2. Area to be licensed includes the internal surface, internal floors, shutters and/or doors and the airspace of the interior of the railway arches only.
3. Total area to be licensed 812m²



Comhairle Cathrach
 Bhaile Átha Cliath
Dublin City Council

An Roinn Comhshaoil agus Iompair
Rannán Suirbhéireachta agus Léarscáilithe
 Environment and Transportation Department
 Survey and Mapping Division

O.S REF 319821 & 326401	SCALE 1:1000
DATE 05-11-2014	SURVEYED / PRODUCED BY
REVISIONS: change to "license" - R.O 29-06-2017	MVictory

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SURVEY, MAPPING AND RELATED RESEARCH APPROVED

APPROVED _____
THOMAS CURRAN
 ACTING MANAGER LAND SURVEYING & MAPPING
 DUBLIN CITY COUNCIL

INDEX No.

SM-2014-0628

MICHAEL PHILLIPS
CITY ENGINEER